

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

DARRYL CHAMBERS,)	
)	
Petitioner,)	8:06CV374
)	
vs.)	MEMORANDUM AND ORDER
)	
ROBERT PATTON,)	
)	
Respondent.)	

This matter is before the court on filing no. 5, the Motion to Dismiss, in which the petitioner, Darryl Chambers, with the advice of counsel, requests that the court dismiss the above-entitled habeas corpus case without prejudice. The court will grant the requested voluntary dismissal without prejudice. However, the petitioner is reminded that his ability to return to this court in the future may be circumscribed by 28 U.S.C. § 2244(d), the statute of limitations for habeas corpus actions brought pursuant to 28 U.S.C. § 2254.

THEREFORE, IT IS ORDERED:

1. That filing no. 5, the petitioner's motion for voluntary dismissal without prejudice, is granted; and
2. That a separate judgment will be filed accordingly.

DATED this 19th day of June, 2006.

BY THE COURT:

s/Joseph F. Bataillon
JOSEPH F. BATAILLON
Chief District Judge